

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

JOHN JONES, III,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a
Delaware Corporation,

Defendant.

No. CV10-5480 BHS

**ERRATA REGARDING BNSF
RAILWAY COMPANY'S RESPONSE
TO PLAINTIFF'S MOTION TO QUASH
SUBPOENA, FOR A PROTECTIVE
ORDER AND FEES AND COSTS**

NOTED ON MOTION CALENDAR:
September 2, 2011

BNSF Railway Company's Response to Plaintiff's Motion to Quash Subpoena,
For a Protective Order and Fees and Costs, filed yesterday, August 31, 2011 was
accidentally filed as an incomplete document because two citations on page 11 were
incomplete. The corrected page, which includes the two supplemented citations
(footnotes 48 and 49) is attached hereto. BNSF requests that the page be substituted
into its original response brief. Defendant BNSF has made no changes to its response
brief aside from supplementing footnotes 48 and 49. BNSF apologizes for any
confusion.

DATED this 1st day of September, 2011.

MONTGOMERY SCARP, PLLC

s/ Kelsey Endres

Kelsey E. Endres, WSBA No. 39409
Attorney for BNSF Railway Company

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CERTIFICATE OF SERVICE

I am over the age of 18; and not a party to this action. I am the assistant to an attorney with Montgomery Scarp, PLLC, whose address is 1218 Third Avenue, Suite 2700, Seattle, Washington, 98101.

I hereby certify that a true and complete copy of ERRATA REGARDING BNSF RAILWAY COMPANY'S RESPONSE TO PLAINTIFF'S MOTION TO QUASH SUBPOENA, FOR A PROTECTIVE ORDER AND FEES AND COSTS has been filed with the U.S. District Court via the ECF system which gives automatic notification to the following interested parties:

Patrick M. Risken
Scott A. Flage
Evans, Craven & Lackie, P.S.
818 W. Riverside Ave., Suite 250
Spokane, WA 99201
Tel: (509) 455-5200

I declare under penalty under the laws of the State of Washington that the foregoing information is true and correct.

DATED this 1st day of September, 2011, at Seattle, Washington.

s/ Chelsea Linsley
Chelsea Linsley